



Seal PATENT
Docket No.: 2283/201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Margret Maria Sauter and Rene Lorbiecke

Serial No. : 09/785,738

Cnfrm. No. : 3348

Filed : February 16, 2001

For : ALTERATION OF GROWTH AND ADAPTATION UNDER HYPOXIC CONDITIONS

TRANSMITTAL LETTER

Assistant Commissioner For Patents

Washington, D.C. 20231

Box: Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(b), which was mailed by the United States Patent and Trademark Office on **March 19, 2001** enclosed are:

- A Combined Declaration and Power of Attorney.
- A Request for (One, Two or Three)-Month Extension of Time.
- Applicant claims small entity status. (See 37 CFR 1.27.)
- A Request for Corrected Filing Receipt and Copy of Official Filing Receipt.
- A copy of the Notice to File Missing Parts.
- A self-addressed, prepaid postcard for acknowledging receipt.
- Fees as calculated below:

FEE FOR (ONE, TWO OR THREE)-MONTH EXTENSION OF TIME \$

SURCHARGE 37 CFR 1.16(e) \$65.00

ADDITIONAL FEES \$

TOTAL FEES SUBMITTED HEREWITH \$65.00

- Other: Submission of Substitute Drawings, 11 sheets of Informal Drawings, Preliminary Amendment, Response to Notice to File Missing Parts, and Statement Under 37 C.F.R. Section 1.825(a) and (b); Paper Copy of Sequence Listing and Computer Readable Form of Sequence Listing on Diskette.
- A check in the amount of \$65.00 to cover the above fees.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: May 18, 2001

Ann R. Pokalsky

Ann R. Pokalsky
Registration No. 34,697

Nixon Peabody LLP
990 Stewart Avenue
Garden City, New York 11530-4838
Telephone: (516) 832-7572
Facsimile: (516) 832-7555

ARP/mm

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I certify that the attached correspondence is being deposited on 5/18/01 with the U.S. Postal Service as first class mail under 37 C.F.R. § 1.8 and addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231.

Maria L. Matos
Maria L. Matos



PATENT
Docket No.: 2283/201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Margret Maria Sauter et al.)
Serial No. : 09/785,738) Examiner:
Cnfrm. No. : 3348)
Filed : February 16, 2001)
For : ALTERATION OF GROWTH AND)
ADAPTATION UNDER HYPOXIC)
CONDITIONS)

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Missing Parts

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated March 19 2001, Applicants are submitting herewith a substitute paper copy of the Sequence Listing and the corresponding computer readable form (CRF) of the Sequence Listing.

Also submitted herewith is a Preliminary Amendment directing entry of the paper copy of the Sequence Listing into the above-captioned application. In addition, Applicants are submitting herewith a statement under 37 C.F.R. § 1.825(a) and (b) that the information recorded in the CRF is identical to the substitute paper copy of the Sequence Listing and that the submission of both the substitute paper copy and the CRF does not introduce new matter to the application as originally filed.

Respectfully submitted,

Ann R. Pokalsky

Ann R. Pokalsky
Registration No. 34, 697

Dated: May 18, 2001

Nixon Peabody LLP
990 Stewart Avenue
Garden City, New York 11530-4838
Telephone: (516) 832-7572
Facsimile: (516) 832-7555

ARP/mm

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Maria I. Matos
Maria I. Matos



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MAY 21 2001
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/785,738	02/16/2001	Margret Maria Sauter	2283/201

CONFIRMATION NO. 3348

FORMALITIES LETTER



OC00000005879246

Ann R. Pokalsky, Esq.
NIXON PEABODY LLP
990 Stewart Avenue
Garden City, NY 11530

Date Mailed: 03/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/20/01 00000059 09785738

FILED UNDER 37 CFR 1.53(b)

PC1205

65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR

54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825 (b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE